



**CITY OF SANTA BARBARA
CREEKS RESTORATION/WATER QUALITY IMPROVEMENT
CITIZENS ADVISORY COMMITTEE MINUTES**

REGULAR MEETING

November 18, 2009

DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET

CALL TO ORDER

Chair Moldaver called the meeting to order at 5:30 pm.

ROLL CALL

Committee members present: Chair Moldaver, Michael Jordan, Natasha Lohmus, Roger Schlueter, Daniel Wilson

Committee members absent: Paul Bullock

Liaison members present: None

Liaison members absent: Councilmember Iya Falcone, Park and Recreation Commissioner Daniel Hochman, Planning Commissioner John Jostes

Staff present: Creeks Restoration/Clean Water Manager Cameron Benson, Assistant Parks and Recreation Director Jill Zachary, Water Resources Specialist Jill Murray, Creeks Outreach Coordinator Liz Smith, Creeks Program Assistant Julie Kahrnoff

APPROVAL OF MINUTES

Motion:

Committee members Jordan/Schlueter to approve the minutes of the regular meeting of September 16, 2009.

Vote:

Unanimous voice vote.

AGENDA ADJUSTMENTS

Mr. Benson requested that Item 10 be moved to follow Item 6 on the agenda.

PUBLIC COMMENT

Mr. Vernon Meche requested that the City address several issues on Mission Creek in the area near Alamar Avenue and De La Vina Street, including Ralphs at 2840 De La Vina Street pumping polluted water from their loading dock into the creek; and, expressed his concerns regarding bridge footings, utility cables, potential flooding, and construction currently taking place in the creek.

Mr. Jordan requested that staff provide an update at a future meeting regarding the Ralphs enforcement case.

Mr. Jack Triguero expressed his general support of the Creeks Division and projects such as the Arroyo Burro Estuary and Mesa Creek Restoration; and, expressed concerns regarding the Upper Las Positas Creek Restoration and Storm Water Management Project at the Santa Barbara Golf Club, including issues such as vector management, project cost and funding, timing of project completion, and the effectiveness of the design and construction.

10. BUSINESS ITEMS

a. Water Quality Monitoring and Research Program Fiscal Year 2009 Report

Recommendation:

That the Committee receive a presentation and discuss the results from the Water Quality Monitoring and Research Program Fiscal Year 2009 Report.

Documents:

Staff Report – November 2009

PowerPoint Presentation – November 2009

Speakers:

Jill Murray, Water Resources Specialist

Committee Questions/Discussion:

Committee members asked questions regarding whether the pathogens from the Summer Urban Runoff Facility (SURF) project on Old Mission Creek have been eliminated to zero; whether staff expects the fires will make it hard to interpret long term trends; and, whether runoff from Elings Park is a problem for the sub-watersheds on Arroyo Burro Creek.

Ms. Murray reported that the SURF project eliminates all indicator bacteria, and that the specifications included elimination of viruses, but that staff has not tested for virus elimination; that if more sediment than normal is found, the fires will be taken into account when staff interprets results; and, that staff have not specifically tested runoff from Elings Park.

Mr. Schleuter suggested that staff look into testing runoff from Elings Park, particularly because it was previously a landfill.

Committee members asked questions regarding whether the EPA's new beach warning criteria will affect the Creeks Division's methods and projects that have already been invested in; how the water leaving the SURF facility with zero indicator bacteria can be back up to baseline levels

so quickly; whether staff looks at sources of bacteria and pathogens in order to solve the issue; and, what the cost of getting 20 pre-project monitoring data inputs would be in order to measure project success.

Ms. Murray reported that it may be up to each state how fast and the means that they will use to meet the EPA's new standards, and that they will probably use a method that the Creeks Division has invested in with Dr. Holden at UCSB; that bacteria can grow very fast, with a generation time as short as 20 minutes in a warm, intestine-like environment like the inside of a storm drain, but that pathogens need hosts to reproduce; that staff has worked with Dr. Holden on microbial source tracking since 2004 in order to define the type of indicator bacteria, and have decided as a group to focus on methods specifically looking for human waste, which poses a greater health risk than animal waste; and, that the cost of tests depends on what you are testing for, from \$24 per test for indicator bacteria up to several hundred per sample for toxicity testing.

Mr. Wilson noted that it may take several seasons for the pollutants from the fires to make their way down the watershed; and, suggested that staff consider focusing more staff time and resources to the monitoring program, particularly relating to bacteria regeneration at Old Mission Creek, to help guide future projects.

Public Comment:

No one wished to speak.

COMMITTEE MEMBER AND STAFF COMMUNICATIONS

None

VICE CHAIR ELECTION

Motion:

Committee Members Moldaver/Schlueter to elect Mr. Jordan to the unexpired term for Vice Chair of the Committee.

Vote:

Voice vote 3/1 (Lohmus abstained).

SUBCOMMITTEE APPOINTMENTS

Mr. Moldaver postponed appointments to the Watershed Subcommittee and the Education and Outreach Subcommittee until the January Committee meeting.

Mr. Jordan was appointed to the Budget Subcommittee.

MANAGER'S REPORT

Committee Questions/Discussion:

Mr. Wilson asked questions regarding the \$250,000 in additional funding for the Upper Las Positas Creek Restoration and Storm Water Management Project, and whether any of those funds would be paid back to the Creeks Division.

Mr. Benson reported that staff will be seeking reimbursement for some of the costs associated with deconstruction and reconstruction of the damaged areas that were inadequately designed, but that the Creeks Division will be paying for the difference in cost of constructing the larger project.

Mr. Jordan noted that the project site contained considerable pollution and erosion problems before the project began; and, that Federal funds are being used for the project.

Mr. Benson reported that the project's redesign will control erosion problems; and, that the \$1.6 million grant from the State Water Resources Control Board will be used for portions of the project that do not serve a function to the golf course, will not be used for reconstruction of the cart path, or to subsidize errors made by the designer or the contractor.

Mr. Wilson complimented Mr. Benson and staff for their attention to the project and the redesign following the storm.

Mr. Schlueter asked questions regarding why the Creeks Division would need to contribute any funds to costs associated with the design failure; suggested that the designer's insurance should cover any additional construction costs; and, asked whether the new design has been reviewed for deficiencies.

Mr. Benson reported that there are two separate contracts, one with the design engineer to design a project that will accommodate a 100 year flood event. The design did not meet those requirements, and staff has not committed any funds to the redesign because it was included in the original scope of work. The second contract is for construction. The contractor bid on the project as designed, and now that the plans have changed there is additional work that was not included in their original bid, and that the Creeks Division will pay the difference for that additional work.

Mr. Benson also reported that the City Engineer reviewed the new designs and has assured staff that the new designs will be adequate.

Mr. Moldaver suggested that Committee Members contact Mr. Benson and the Committee via email with any additional questions.

Mr. Schlueter asked whether contacting the Committee via email is a Brown Act violation.

Mr. Moldaver explained that if it is only a question it would not be a violation, but that if a Committee Member were trying to gather support for a particular item it would be a violation.

Mr. Benson stated that his preference would be that Committee members take a cautious approach, and to contact him directly and only copy the Committee Chair on the email. If an item requires attention or input from the full Committee, Mr. Benson will work with the Chair to add it to a future meeting agenda.

Mr. Wilson Left at 7:35pm.

ADJOURNMENT

Motion:

Committee members Jordan/Lohmus to adjourn.

Chair Moldaver adjourned the meeting at 7:45pm.

Respectfully submitted,

Cameron Benson
Creeks Restoration/Clean Water Manager